

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 121, between lines 22 and 23, begin a new paragraph and
- 2 insert:
- 3 "SECTION 67. IC 8-22-3.5-9 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) As used in this
- 5 section, "base assessed value" means:
- 6 (1) the net assessed value of all the tangible property as finally
- 7 determined for the assessment date immediately preceding the
- 8 effective date of the allocation provision of the commission's
- 9 resolution adopted under section 5 of this chapter,
- 10 **notwithstanding the date of the final action taken under**
- 11 **section 6 of this chapter;** plus
- 12 (2) to the extent it is not included in subdivision (1), the net
- 13 assessed value of property that is assessed as residential property
- 14 under the rules of the department of local government finance, as
- 15 finally determined for any assessment date after the effective date
- 16 of the allocation provision.
- 17 However, subdivision (2) applies only to an airport development zone
- 18 established after June 30, 1997, and the portion of an airport
- 19 development zone established before June 30, 1997, that is added to an
- 20 existing airport development zone.
- 21 (b) Except in a county described in section 1(5) of this chapter, a
- 22 resolution adopted under section 5 of this chapter and confirmed under
- 23 section 6 of this chapter must include a provision with respect to the
- 24 allocation and distribution of property taxes for the purposes and in the
- 25 manner provided in this section.
- 26 (c) The allocation provision must:
- 27 (1) apply to the entire airport development zone; and
- 28 (2) require that any property tax on taxable tangible property
- 29 subsequently levied by or for the benefit of any public body
- 30 entitled to a distribution of property taxes in the airport
- 31 development zone be allocated and distributed as provided in
- 32 subsections (d) and (e).

1 (d) Except in a county described in section 1(5) of this chapter, and
2 as otherwise provided in this section, the proceeds of the taxes
3 attributable to the lesser of:

4 (1) the assessed value of the tangible property for the assessment
5 date with respect to which the allocation and distribution is
6 made; or

7 (2) the base assessed value;

8 shall be allocated and, when collected, paid into the funds of the
9 respective taxing units.

10 (e) Except in a county described in section 1(5) of this chapter, all
11 of the property tax proceeds in excess of those described in subsection
12 (d) shall be allocated to the eligible entity for the airport development
13 zone and, when collected, paid into special funds as follows:

14 (1) The commission may determine that a portion of tax proceeds
15 shall be allocated to a training grant fund to be expended by the
16 commission without appropriation solely for the purpose of
17 reimbursing training expenses incurred by public or private
18 entities in the training of employees for the qualified airport
19 development project.

20 (2) ~~Except as provided in subsection (f), all remaining~~ **The**
21 **commission may determine that a portion of** tax proceeds
22 shall be allocated to a debt service fund and dedicated to the
23 payment of principal and interest on revenue bonds of the airport
24 authority for a qualified airport development project, ~~or to the~~
25 ~~payment of leases for a qualified airport development project, or~~
26 **to the payment of principal and interest on bonds issued by**
27 **an eligible entity to pay for qualified airport development**
28 **projects in the airport development zone or serving the**
29 **airport development zone.**

30 (3) ~~Except as provided in subsection (f), all remaining~~ **tax**
31 **proceeds after allocations are made under subdivisions (1)**
32 **and (2) shall be allocated to a project fund and dedicated to**
33 **the reimbursement of expenditures made by the commission**
34 **for a qualified airport development project that is in the**
35 **airport development zone or is serving the airport**
36 **development zone.**

37 (f) Except in a county described in section 1(5) of this chapter, if
38 the tax proceeds allocated to the ~~debt service project~~ **fund in**
39 **subsection (e)(3)** exceed the amount necessary to

40 (1) ~~pay principal and interest on airport authority revenue bonds;~~

41 (2) ~~pay lease rentals on leases of a qualified airport development~~
42 ~~project; or~~

43 (3) ~~create, maintain, or restore a reserve for airport authority~~
44 ~~revenue bonds or for lease rentals or leases of a qualified airport~~
45 ~~development project;~~

46 **satisfy amounts required under subsection (e), the excess in the**
47 **project fund** over that amount shall be paid to the respective taxing
48 units in the manner prescribed by subsection (d).

49 (g) Except in a county described in section 1(5) of this chapter,
50 when money in the debt service fund **and in the project fund** is
51 sufficient to pay all outstanding principal and interest (to the earliest
52 date on which the obligations can be redeemed) on revenue bonds

1 issued by the airport authority for the financing of qualified airport
 2 development projects, ~~and~~ all lease rentals payable on leases of
 3 qualified airport development projects, **and all costs and expenditures**
 4 **associated with all qualified airport development projects**, money
 5 in the debt service fund **and in the project fund** in excess of ~~that~~
 6 ~~amount~~ **those amounts** shall be paid to the respective taxing units in
 7 the manner prescribed by subsection (d).

8 (h) Except in a county described in section 1(5) of this chapter,
 9 property tax proceeds allocable to the debt service fund under
 10 subsection (e)(2) must, subject to subsection (g), be irrevocably pledged
 11 by the eligible entity for the purpose set forth in subsection (e)(2).

12 (i) Except in a county described in section 1(5) of this chapter, and
 13 notwithstanding any other law, each assessor shall, upon petition of the
 14 commission, reassess the taxable tangible property situated upon or in,
 15 or added to, the airport development zone effective on the next
 16 assessment date after the petition.

17 (j) Except in a county described in section 1(5) of this chapter, and
 18 notwithstanding any other law, the assessed value of all taxable tangible
 19 property in the airport development zone, for purposes of tax limitation,
 20 property tax replacement, and formulation of the budget, tax rate, and
 21 tax levy for each political subdivision in which the property is located
 22 is the lesser of:

- 23 (1) the assessed value of the tangible property as valued without
- 24 regard to this section; or
- 25 (2) the base assessed value."

26 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed April 1, 2005.)

Senator ROGERS